

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
NO. 3:16-cv-00085-FDW-DCK**

RONALD PIERCE,)	
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
AMERICAN STRATEGIC INSURANCE)	
CORP.,)	
)	
Defendant.)	
<hr/>)	

THIS MATTER is before the Court upon the filing of the parties' Joint Status Report Regarding Court Ordered Appraisal (Doc. No. 18) and Defendant's Motion for Summary Judgment (Doc. No. 19). On August 9, 2016, the Court conducted a telephonic conference on these issues. For the reasons explained during the telephonic conference, the Court hereby Orders that:

1. The Joint Motion to Appoint an appraisal "umpire" is **DENIED**.
2. The Stay imposed by the Court's prior Order (Doc. No. 17) is **TERMINATED**. This case shall proceed according to the previously entered Case Management Order (Doc. No. 8) with the following timeline modifications:
 - a. The deadline for Discovery Completion shall be extended until **Monday, October 24, 2016**.
 - b. The deadline for filing Dispositive Motions shall be extended until **Wednesday, November 9, 2016**.
 - c. **All other remaining timelines remained unaffected from that set forth in the Case Management Order.**

3. Defendant's Motion for Summary Judgment (Doc. No. 19) is **DENIED without prejudice**. Defendant shall retain the ability to incorporate the pending arguments into its Motion for Summary Judgment filed after the close of discovery if they so choose. In the event Defendant elects to re-raise the pending arguments in a later Motion for Summary Judgment, that future Motion must comply, in its entirety, with the Court's existing word count limit.

IT IS SO ORDERED.

Signed: August 9, 2016

A handwritten signature in black ink, appearing to read "Frank D. Whitney", is written over a horizontal line.

Frank D. Whitney
Chief United States District Judge

